

MESSAGE NO: 6006203 MESSAGE DATE: 01/06/2006

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-337-806

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2004 TO 06/30/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ. INST. FOR AND NOTIFICATION OF PARTIAL RESCISSION OF ANTIDUMPING  
ADMINISTRATIVE REVIEW OF INDIVIDUALLY QUICK FROZEN RED RASPBERRIES FROM  
CHILE (A-337-806)

MESSAGE NO: 6006203

DATE: 01 06 2006

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REFERENCE:

REFERENCE DATE:

CASES: A - 337 - 806

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PERIOD COVERED: 07 01 2004 TO 06 30 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INST. FOR AND NOTIFICATION OF PARTIAL RESCISSION  
OF ANTIDUMPING ADMINISTRATIVE REVIEW OF INDIVIDUALLY  
QUICK FROZEN RED RASPBERRIES FROM CHILE (A-337-806)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON  
INDIVIDUALLY QUICK FROZEN RED RASPBERRIES FROM CHILE (A-337-806),  
COVERING THE PERIOD 07/01/2004 THROUGH 06/30/2005 HAS BEEN  
RESCINDED, IN PART. THIS NOTICE OF PARTIAL RESCISSION WAS  
PUBLISHED IN THE FEDERAL REGISTER (70 FR 76771) ON (12/28/2005).  
YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THE MERCHANDISE ENTERED,  
OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD

LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

MERCHANDISE/CASE NUMBER	PERIOD
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INDIVIDUALLY QUICK FROZEN RED

RASPBERRIES FROM CHILE (A-337-806)	07/01/2004 - 06/30/2005
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LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: CUSTOMS ID

ALIMENTOS NATURALES VITAFOODS, S.A.	A-337-806-058
ARVALAN S.A.	A-337-806-020
FRUTICOLA OLMUE S.A.	A-337-806-003
SANTIAGO COMERCIO EXTERIOR EXPORTACIONES LTDA.	A-337-806-047
SOCIEDAD AGROINDUSTRIAL VALLE FRIO LTDA.	A-337-806-061
VALLES ANDINOS S.A.	A-337-806-054
VITAL BERRY MARKETING S.A.	A-337-806-055

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE, EXCEPT FOR THE FIRMS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ("CBP") ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT

UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH

PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY. (GENERATED BY O1:YB).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party